

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/463/2020

HYDERABAD, this the 21st day of August, 2020



Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

P. Mahesh, S/o. Palemkota Gangadharam,
Age: 30 years, Postal Assistant,
Kodur, SO – 516 101,
Cuddapah District, Andhra Pradesh.

... Applicant

(By Advocate: Mr. K. Siva Reddy)

Vs.

1. Union of India rep. by Secretary,
Ministry of Communications & IT.,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi – 110 001.
2. The Chief Post Master General,
Andhra Pradesh Postal Circle,
Vijayawada – 520 013.
3. The Director-Postal Services,
O/o. The Postmaster General,
Kurnool Region, Kurnool – 518002.
4. Superintendent of Post Offices,
Cuddapah Postal Division,
Cuddapah – 516 001.
5. Sri. N. Reddi Basha,
Inquiry Officer and Inspector- Posts,
Pulivendula Sub-division,
Pulivendula – 516 390.

... Respondents

(By Advocate: Mr. N. Parameswara Reddy, Sr. PC to CG)

ORDER (ORAL)

Hon'ble Mr. B.V. Sudhakar, Admn. Member

Through Video Conferencing



The OA has been filed in regard to the disciplinary inquiry against the applicant.

2. The brief facts of the case are that the applicant, while working as Postal Assistant in the respondent's organization, was proceeded on disciplinary grounds, vide charge memo dated 10.05.2019. The applicant earlier approached this Tribunal in OA 317/2020, which was disposed vide order dt.8.7.2020, with a direction to the respondents to complete the inquiry, within four months i.e. by November 2020. The applicant has filed the present OA stating that the respondents are not producing the original documents for his inspection when asked for during the inquiry. They are only furnishing the Xerox copies of the documents, which is not permitted under law. Bias petition has been moved against the I.O., which is yet to be acted upon. Aggrieved, for reasons referred to, the OA has been filed.

3. Heard Sri K. Siva Reddy, learned counsel for the applicant and Sri N. Parameswara Reddy, learned counsel for the respondents and perused the material papers available on record.

4. This Tribunal, in OA 317/2020 has observed as under:



“5. Even Rule 14(24) of CCS (CCA) Rules 1965 stipulates that the Inquiring Authority should conclude the inquiry and submit report within a period of six months from the date of receipt of his order of appointment as the Inquiring Authority. In the instant case, the Inquiry Officer was appointed/ set of charges were framed on 26.11.2018 & 10.05.2019 respectively. More than a year has been lapsed but the inquiry reports have not been submitted. It requires no reiteration that it is incumbent on part of the respondents to complete the inquiry in time so that a final decision is taken in regard to the lapse committed by the employee and thereafter decide the imposition of the penalty as deemed fit. Not doing so will affect the morale of the employee as well as the efficiency of the organization.

6. As rules are clear that the inquiry has to be completed in a stipulated time period, we direct the respondents to complete the inquiries relating to both the charge memoranda referred to above, within four months from the date of receipt of a copy of this order. In case the inquiry is not completed within the stipulated period, the Tribunal may have to examine the issue for setting aside the charges levelled against the applicant, as laid down in law, if challenged by the applicant if he so desires.

7. With the above direction, the O.A. is disposed of at the stage of admission. No order as to costs. “

As seen from above, more than an year has passed since the institution of the inquiry. It requires no reiteration that the respondents need to conduct the inquiry as per rules in vogue and in accordance with law, giving no room for any grievances on this count. We direct the respondents to comply with the earlier order of the Tribunal to complete the inquiries in the time frame fixed.

With the above direction, the OA is disposed of. No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/evr/